



MAIL STOP AMENDMENT *FS fw*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kennedy et al.

Attorney Docket No. ACAT-1-1015

Serial No.: 10/749,320

Group Art Unit: 3612

Filing Date: December 29, 2003

Examiner: Pedder, Dennis H.

Title: MULTI-POSITION FENDERS

**AMENDMENT TRANSMITTAL LETTER**

TO THE COMMISSIONER FOR PATENTS:

A. Amendment Transmittal

Transmitted with this letter is:

- (1) Response to Notice of Non-Compliant Amendment and Notice Requiring Excess Claims Fee;
- (2) Replacement Amended Claims;
- (3) Check No. 15560 in the amount of \$850.00 Excess Claim Fee;
- (2) a return receipt postcard.

B. Additional Fee Charges or Credit for Overpayment

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 501050. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application. *A copy of this letter is enclosed.*

Direct all communications to:

25315  
CUSTOMER NUMBER

BLACK LOWE & GRAHAM PLLC

701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
206.381.3300 • F: 206.381.3301

Darren J. Jones, Esq.  
BLACK LOWE & GRAHAM<sup>PLLC</sup>  
701 Fifth Avenue, Suite 4800  
Seattle, WA 98104  
Phone: 206.381.3300  
Fax: 206.381.3301  
Email: jones@blacklaw.com

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>



Darren J. Jones  
Registration No. 36,175  
Direct Dial: 206.957-2490

**EXPRESS MAIL CERTIFICATE**

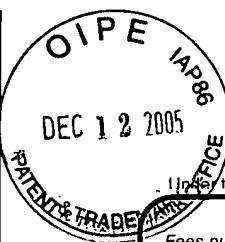
I hereby certify that this communication is being deposited with the United States Postal Service via EXPRESS mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: **MAIL STOP AMENDMENT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

12/8/05

Date of Deposit

Sharon S. Anderson

Sharon S. Anderson



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$)

850.00

## Complete if Known

Application Number	10/749,320
Filing Date	December 29, 2003
First Named Inventor	Craig Kennedy
Examiner Name	Pedder, Dennis H.
Art Unit	3612
Attorney Docket No.	ACAT-1-1015

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 501050 Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

### 2. EXCESS CLAIM FEES

#### Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity	Fee (\$)	Fee (\$)
- 20 or HP =	x	=		50	25	
HP = highest number of total claims paid for, if greater than 20.				200	100	
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	360	180	
- 3 or HP =	x	=				

HP = highest number of independent claims paid for, if greater than 3.

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		=

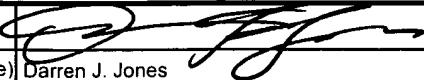
### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Excess Claims after Amendment

\$850.00

## SUBMITTED BY

Signature		Registration No. 36,175 (Attorney/Agent)	Telephone 206-957-2490
Name (Print/Type)	Darren J. Jones		Date July 21, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT AND NOTICE  
REQUIRING EXCESS CLAIM FEES**

TO THE COMMISSIONER OF PATENTS:

The following is responsive to the Communication dated November 17, 2005 including a Notice of Non-Compliant Amendment and a Notice Requiring Excess Claim Fees. Enclosed herewith please find a listing of the claims that include the text of all pending claims, including withdrawn claims. This listing should replace that submitted in applicant's Response to Office Action filed on November 9, 2005.

With regard to the Notice Requiring Excess Claim Fees, in applicant's Amendment transmittal letter authorization was given to charge fees as needed. However, in order to expedite and expressly set forth a Response to the Notice, applicant transmits herewith the fee payment of \$850.00 as set forth in the notice.

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CUSTOMER NUMBER

-1-

ACAT-1-1015ROA3

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